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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/867,651	05/31/2001	Michael Anthony Sijacic	06502.0341	7980
22852	7590	07/06/2004	EXAMINER	
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 1300 I STREET, NW WASHINGTON, DC 20005			JAKETIC, BRYAN J	
			ART UNIT	PAPER NUMBER
			3627	

DATE MAILED: 07/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/867,651

Applicant(s)

SIJACIC ET AL.

Examiner

Bryan Jaketic

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 01 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-86 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-86 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
~~Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).~~  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4/04 5/5/04
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 101*

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 20-25 and 31-36 rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The basis of this rejection is set forth in a two-prong test of:

- (1) whether the invention is within the technological arts; and
- (2) whether the invention produces a useful, concrete, and tangible result.

For a claimed invention to be statutory, the claimed invention must be within the technological arts. Mere ideas in the abstract (i.e., abstract idea, law of nature, natural phenomena) that do not apply, involve, use, or advance the technological arts fail to promote the "progress of science and the useful arts" (i.e., the physical sciences as opposed to social sciences, for example) and therefore are found to be non-statutory subject matter. For a process, the recited process must somehow apply, involve, use, or advance the technological arts.

The mere recitation of the technological arts in the preamble does not confer statutory subject matter to an otherwise abstract idea unless there is positive recitation in the claim as a whole to breathe life and meaning into the preamble. In the present case, none of the recited steps are directed to anything in the technological arts as explained above. Looking at the claim as a whole, nothing in the body of the claim

recites any structure or functionality to suggest that a computer or anything within the technological arts is involved in the recited steps. Therefore, the preamble is taken to merely recite a field of use.

***Claim Rejections - 35 USC § 103***

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1, 2, 5-38, 41-63, and 66--86 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson in view of Guzelsu. Anderson discloses a method for facilitating electronic business transactions comprising providing an invoice (182), determining an individual with authority to approve the entry based on the invoice type (see columns 6-8; describing steps wherein the invoice is sent to a customer for approval based on a value of the invoice). The entry is made available to the determined individual, and an indication is received from the individual reflecting a decision on whether to approve the entry (see col. 8, line 48 through col. 9, 31). Anderson does not teach that the invoice has a plurality of entries. Guzelsu discloses a method for facilitating electronic business transactions comprising the step of providing an invoice with a plurality of entries (68), wherein for each entry, an indication reflecting a decision is received on whether to approve the entry (see col. 3, lines 30-45). It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the teachings of Guzelsu with the invention of Anderson to employ invoices with a plurality of entries for administrative convenience.

Anderson further teaches the step of determining an association between an individual and a respective purchasing entity identified by the entry type (see, for example, col. 7, Table 4); and determining an individual with authority to approve the entry based on the determined association (see col. 7, line 54 through col. 9, line 31).

Anderson does teach the step of determining the value of invoices (see columns 6-8), and automatically approving the invoice based on the determined value (see col. 7, Table 3). However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the teachings of Guzelsu to employ invoices with multiple entries for to make determinations on a line-by-line basis for efficiency purposes.

Anderson does not teach the step of employing an in-box. However, in-boxes are common in the art, and it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ an in-box to facilitate the approval process.

It is inherent to Anderson that if the individual does have authority to approve the decision, that individual does not receive the invoice entry.

4. Claims 3, 4, 39, 40, 64, and 65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson and Guzelsu as applied to claims 1, 37, and 62 above, and further in view of Bissonette et al. Anderson and Guzelsu teach all of the limitations of the claims except for the steps of determining a second individual with authority to approve the decision recognized by the invoice, making the entry available to the second individual, and receiving a second indication from the second individual.

Bissonette et al teach a credit transaction system wherein two individuals review invoices and send indications of approval or disapproval (see col. 7, line 6-54). It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the teachings of Bissonette et al with the combination of Anderson and Guzelsu to provide the entries to a second individual with the authority to approve the decision to further ensure that the entries are correct and that the expenses are authorized.

### ***Response to Arguments***

5. Applicant's arguments filed 1 April 2004 have been fully considered but they are not persuasive. Applicant argues that neither Anderson et al nor Guzelsu teach the step of determining an individual with authority to approve each entry of an invoice. Examiner concedes that neither reference alone teaches this step. However, Anderson et al teach the step of determining an individual with authority to approve an invoice, and Guzelsu teaches a method of auditing each entry of an invoice. Examiner maintains that taken in combination, Anderson's teaching of determining an individual with authority to approve an invoice employed with Guzelsu's teaching of auditing each entry of an invoice meets the claimed invention.

Applicant also argues that Anderson et al do not teach that "entries that the individual does not have authority to approve are not made available to the individual." Examiner maintains that it is inherent to Anderson et al that an individual would not receive invoices that he does not have authority to approve. In applying the teachings

of Guzelsu, by employing a line-item audit, only individuals with authority to approve the entry would receive the entry, and the combination therefore meets the limitation of the claim.

Applicant further argues that Anderson et al do not teach the step of determining an association between an individual and a respective purchasing identified by the entry type. Examiner respectfully disagrees. Table 3 of Anderson shows that the invoice is associated with an invoice type based on the price of the items. The purchasing entity is determined to be the individual with authority to approve the entry based on the invoice type.

Applicant has properly traversed the use of Official Notice regarding claims 3, 4, 39, 40, 64, and 65. Examiner has applied Bissonette et al to provide the teaching a second individual with authority to approve.

Applicant also argues that Anderson et al do not teach the step of automatically approving an invoice based on the value. Examiner respectfully disagrees. Anderson et al teach that invoices below a certain value are automatically approved (see Table 3, and col. 7, line 54 through col. 9, line 5).

Applicant also argues that Anderson et al do not teach the steps of receiving profile information associated with a user, receiving an indication of the user's status, assigning an entity identifier, and assigning the user as an approver. Examiner respectfully disagrees. In col. 6, lines 1-11, Anderson teaches that user profile information is used to indicate the user's status, assign an entity identifier, and assign the user as an approver.

***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Koreeda et al teach a method of payment settlement employing the step of approval by a second individual.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

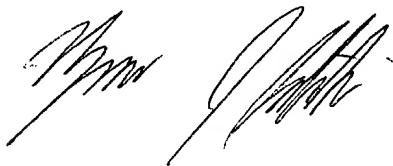
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bryan Jaketic whose telephone number is (703) 308-0134. The examiner can normally be reached on Monday through Friday (9:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (703)308-5183. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

bj

A handwritten signature in black ink, appearing to be "John J. Smith", written in a cursive style.